

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:17-CV-418-D

NANCY KEBORT, at al.,

Plaintiff,

v.

ROBERT STIEHL, et al.,

Defendants.

**ORDER**

On May 17, 2018, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”) and recommended that plaintiff’s federal claims be dismissed without prejudice for failure to state a claim upon which relief can be granted and that the court decline to exercise supplemental jurisdiction over plaintiff’s state law claims [D.E. 15]. On June 6, 2018, plaintiff objected to the M&R [D.E. 16].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R, the record, and plaintiff’s objections. As for those portions of the M&R to which plaintiff made no objection, the court is satisfied that there is no clear

error on the face of the record. As for the objections, the court has reviewed the objections and the M&R de novo. Plaintiff's objections lack merit and are overruled.

In sum, plaintiff's objections to the M&R [D.E. 16] are OVERRULED, and plaintiff's federal claims [D.E. 10] are DISMISSED without prejudice for failure to state a claim. The court declines to exercise supplemental jurisdiction over plaintiff's state law claims. Plaintiff may pursue her state law claims in state court.

SO ORDERED. This 11 day of June 2018.

  
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JAMES C. DEVER III  
Chief United States District Judge